

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

JAMES E. HYMAN

Plaintiff

v.

YESCARE CORP., et al.

Defendant

Civil Action No. 3:22-cv-01081

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* DAVID GEFNER
351 SPOOK ROCK ROAD
SUFFERN, NY 10901

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Kay Griffin, PLLC
c/o Michael A. Johnson
222 Second Ave. N., Ste. 340-M
Nashville, TN 37201

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 1/17/2023



CLERK OF COURT

Kim Chaok
Signature of Clerk or Deputy Clerk

RETURN COPY

**UNITED STATES DISTRICT COURT FOR THE MIDDLE
DISTRICT OF TENNESSEE**



P8442261

AFFIDAVIT OF SERVICE

Index No.: **3:22-CV-01081**

Plaintiff(s):	JAMES E. HYMAN
	vs.
Defendant(s):	YESCARE CORP., et al

STATE OF NEW YORK
COUNTY OF WESTCHESTER ss.:

William Feliciano, the undersigned, being duly sworn, deposes and says:
Deponent is not a party herein and is over 18 years of age.

On **02/08/2023** at **10:44 AM**, I served the within **SUMMONS IN A CIVIL ACTION AND COMPLAINT, EXHIBIT(S)** with the index#**3:22-CV-01081** endorsed thereon on **DAVID GEFNER** at **22 PHYLLIS TERRACE, APT #1, MONSEY, NY 10952** in the manner indicated below:

SUITABLE AGE: by delivering thereat a true copy of each to **Sarah Gefner, MOTHER** of **DAVID GEFNER**, a person of suitable age and discretion. Said premises is **DAVID GEFNER's** usual place of abode within the state.

On **02/09/2023**, deponent enclosed a copy of same in a first class postpaid envelope bearing the words "Personal & Confidential" properly addressed to defendant and defendant's last known residence, at **22 PHYLLIS TERRACE, APT #1, MONSEY, NY 10952** and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

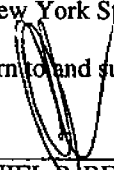
Comments: **I went to the address provided and asked for the defendant by name and received a positive response. I made contact with Sarah Gefner. Mrs. Gefner verbally verified the defendant as her son and co-occupant and signed for and accepted documents on his behalf.**

A description of the Recipient, or other person served on behalf of the Recipient is as follows:


Sex	Color of skin	Color of hair	Age	Height	Weight
Female	Caucasian	Head Wrap	54 Stated	5ft 4in - 5ft 6in	131-160 lbs
Other Features:					

I asked the person spoken to whether he/she **Defendant(s)** was in the active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. The source of my information and belief are the conversations above narrated. Upon information and belief I aver that the recipient is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to and subscribed before me on **02/09/2023**



DANIEL R. BECKER
Notary Public, New York State
NO: 01BE5077108
Qualified In Putnam County
Commision Expires May 5, 2023

X 

William Feliciano
LEXITAS
1235 Broadway 2nd Floor
New York, NY 10001

Job#: 8442261